IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

Crl.MC.No. 2877 of 2007()

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AGAINST THE JUDGEMENT/ORDER IN BA.5130/2007 Dated 18/08/2007

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PETITIONER: PETITIONER

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JAMES @ ELITE JOY,
AGED 50 YEARS,S/O. THOMMAN,
PATTA PARAMBIL VEEDU, FORTKOCHI.

BY ADV. SRI.R.SUDHISH
SMT.M.MANJU

RESPONDENTS: RESPONDENT

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STATE OF KERALA REPRESENTED BY THE
S.I.OF POLICE, FORTKOCHI POLICE STATION
THROUGH PUBLIC PROSECUTOR,HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.M.S.BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 20/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R.BASANT, J.**

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Crl.M.C.No.2877of 2007

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Dated this the 20th day of September 2007

**O R D E R**

The petitioner who was granted bail as per order dated 18/8/2007 in B.A.No.5130/2007 prays that the fourth condition imposed on him that he shall not enter the limits of Fort Kochi police station for a period of two months from the date of his release may now be deleted.

2. What is the reason? The learned counsel for the petitioner submits that his wife and children are residing within the jurisdiction of Fort Kochi police station. I do not reckon that as a sufficient reason for modifying the condition now. The condition was imposed fully conscious of that circumstance. Secondly it is submitted that the petitioner's presence is required before the Tahsildar of Kochi. The petitioner submits that if he is not permitted to enter the jurisdiction of the Fort Kochi police station, he will be disabled and shall not be able to appear before the Tahsildar, Kochi.

3. I am satisfied that adequate safeguards can be provided against that contingency. If the petitioner receives any

notice from the Tahsildar, Kochi for appearance, he can bring that to the notice of the investigating officer and thereupon, the investigating officer shall permit him to enter the jurisdiction of Fort Kochi police station for that specific purpose.

4. This petition is allowed in part to the above extent.

**(R.BASANT, JUDGE)**

jsr

// True Copy// PA to Judge

**R.BASANT, J.**

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007